

Massachusetts Water Resources Commisison Meeting Minutes for August 13, 1998

Commission Members in Attendance:

Mark P. Smith	Designee, Secretary of Environmental Affairs
Mark S. Tisa	Designee, Department of Fisheries, Wildlife, and Environmental Law Enforcement
Arleen O'Donnell	Designee, Department of Environmental Protection
Vicki Gartland	Designee, Department of Environmental Management
Lee Corte-Real	Designee, Department of Food and Agriculture
Richard Butler	Public Member
Jeffrey Kapell	Public Member
Gary Clayton	Public Member

Others in Attendance:

Lou Wagner	Massachusetts Audubon Society
Marilyn Nordby	Lexington Conservation Commission
Bill Napolitano	Southeastern Regional Planning
Andrea Langhauser	EOEA Ten Mile Watershed Team Leader
Marie Clarner	North Attleborough Conservation Commission
Michele Drury	DEM, Office of Water Resources
Charles Katuska	EOEA Wetlands Restoration & Banking Program
John Kennelly	Army Corps of Engineers
Larry E. Tilton	NACC
Gretchen Roorbach	MWRA
Ellen Gugel	EOEA
Lealdon Langley	DEP, Water Management Act
Vandama Rovo	Neponset River Watershed Association
Michele Cobban Barden	Neponset River Watershed Association
Nan Crossland	Dedham-Westwood Water District
Dave Terry	DEP, Water Management Act

Agenda Item #1: Executive Director's Report

EOEA Budget. Mark P. Smith reported that the overall budget EOEa received from the legislature is up 7 percent over last year. The following new monies have been allocated for water resources programs:

- Mass Watershed Initiative: \$250,000 for water quality monitoring; \$100,000 for Buzzards Bay project; \$100,000 for the conservation districts to integrate their programs with the MWI
- MassGIS: specific allocation for a MassGIS office, regional centers, and training
- Rivers Protection Act: DEP circuit rider program

- Riverways: an additional \$200,000 for small grants programs, technical assistance, and Urban Rivers Programs

Pepperell. Pepperell sent a letter in response to a letter the WRC sent the town asking that they more fully consider groundwater discharge systems. Pepperell responded (see August mailing) that they are already doing so.

Massachusetts Clean Water Council (MCWC) Annual Meeting. MCWC is planning for its annual fall/winter meeting which is tentatively titled “Are we running out of water?” Regional breakout groups are planned to look at basin-specific water quantity issues. Case studies of communities which have implemented innovative solutions (e.g., Yarmouth golf course water reuse) are planned. Tentative date: December 10th.

Herbicide Regulations. Herbicide spraying regulations are undergoing revision by DFA. The result is likely to be greater protection with increased set-back zones from water bodies. The draft regulations are expected this fall.

Rockport. Agenda Item 4 (Rockport’s WMA) has been postponed.

NepRWA and Canton. The Neponset River Watershed Association wrote a letter to DEP and copied the WRC on it regarding Canton’s request for sewer extension. The letter asks that DEP not allow that extension.

Agenda Item #2: VOTE on Meeting minutes of May 21, 1998 and June 11, 1998

Richard Butler moved, with a second by Jeff Kapell, that the minutes of both meetings be accepted as presented. The motion passed unanimously.

Agenda Item #3: Initial presentation of recommendations for Army Corps of Engineers assistance under Section 22 and Floodplain Management Services (FPMS)

John Kennelly of the ACOE presented this year’s project proposals¹.

FPMS grants are only for flood control projects where property damage and/or loss of life may be an issue. **Section 22** provides planning assistance in any area of water resource management and requires 50 percent non-federal matching funds.

An update on projects from previous years was requested by Commission members. Kennelly reported that previous Section 22 projects included Pamet River in Truro, wetlands restoration projects at Plum Island in Newburyport and in the Neponset watershed. A former FPMS project was CZM’s mapping of coastline hazards. A project in the Alewife/Mystic watershed has not yet been funded.

¹ Note that this is an annual presentation made to the WRC for the Commission’s recommendation on prioritizing the proposals received by the ACOE under Section 22 and FPMS grant programs.

Last year's projects:

- *Ipswich (Section 22)*: still outstanding.
- *Wetlands restoration in the Connecticut River (Section 22)*: an agreement has been signed and the project is moving forward.
- *Weymouth Naval Air Base (Section 22)*: scoping has been a problem as the project proponents are not focused; proponents are not yet where they can request technical assistance because they need to determine a scope of EIS with the Navy.
- *Woburn (FPMS)*: this project is intended to correct drainage problems in Woburn on the Middlesex Canal near Route 128 and the cinema. The land is very flat and consists of a complex system of wetlands and culverts. Extensive maintenance needs to be done prior to any project recommendations. At that time, ACOE will return to take another look.

Commission members asked about funding potential. Kennelly responded that under FPMS assistance, \$60K to \$80K is allocated for Massachusetts this year. Section 22 grants are funded on a first-come, first-served basis; no budget or target amount is allocated. Projects are simply prioritized and put into the pipeline. Last year, \$300K was used in the New England region, but Vermont and Maine don't use the program.

Five applications were received this year (listed in order of staff's initial prioritization):

Section 22 grant proposals:

1. Lake Como, North Attleborough (North Attleborough Conservation Commission)
2. Billings Creek, Quincy (Wetlands Restoration and Banking Program, EOEA)
3. Rockport's water supply (Town of Rockport)

FPMS grant proposals:

1. Ten Mile River, North Attleborough (North Attleborough Conservation Commission)
2. Hardy's Pond Brook, Lexington (Lexington Conservation Commission)

Project proponents who were present were given the opportunity to explain their proposals.

Ten Mile River Projects. Andrea Langhauser, Ten Mile Watershed Team Leader, reported that the two projects submitted by the North Attleborough Conservation Commission are among the top five projects identified by the Ten Mile Watershed Team in the watershed.

The Lake Como project involves sewerage for the homes on the lake (the lake has become eutrophic and deteriorated over many years), has a 50 percent funding match from North Attleborough, and is supported by the City of Attleborough and the Town of Plainville.

The FPMS proposal involves the Whittings Pond Dam. June's storms resulted in significant property damage and the closure of Routes 1 and 1A. The project is intended to look at flooding issues along the entire Ten Mile corridor. John Kennelly suggests contacting Rhode Island as well. Bill Napolitano of Southeastern Regional Planning and Marie Clarner of North Attleborough Conservation Commission were also present and spoke in favor of the projects.

Lexington's Hardy Pond Brook. Marilyn Nordby of the Lexington Conservation Commission explained that Lexington has pollution problems with all of its brooks, but Hardy's Pond Brook has been targeted to begin a comprehensive stream management program throughout the town. The residents in the area are unanimously in favor of cleanup. The brook is a channel constructed hundreds of years ago, but hasn't been cleaned up since the 1950s. Lexington is looking for an alternatives analysis on methods to remove the silt contaminating the brook. Nordby provided a cost estimate update of \$10,000. The brook is half publicly owned (conservation commission) and half privately owned. There is concern that the rising water level will cause water to spill over into the Cambridge reservoir watershed area.

Discussion:

- Kennelly believes that determination of the clean up method will be a function of what the regulatory agencies require.
- Mark Tisa asked about the source of siltation. Nordby replied that it is road sand, deposition from upstream, and 35 years of runoff collection. Tisa felt that the situation should be corrected before clean up. Nordby said that the town is working with DEP to do so.
- Arleen O'Donnell thinks that the method of disposal of the silt will be more of a problem than the method of removal.

Billings Creek in Quincy. Chuck Katuska, a wetlands scientist from the Wetlands Restoration and Banking Program, explained that Billings Creek is a tidal creek that is part of the small remainder of salt marshes. There have been many changes in the local hydrology and phragmites invasion. The tidal hydraulics are very complex, and there is an absence of tidal interchange of Quincy Bay with Dorchester Bay. Katuska says there are definitely wetlands restoration opportunities and assistance is requested from the Corps to look at the alternatives.

Katuska says the project is a priority for the following reasons:

1. it is a continuation of the work already done in the Neponset
2. restoration of salt marshes is a watershed priority
3. the City of Quincy supports the project and offers the 50 percent funding match (through its Engineering Dept.)
4. the most significant piece of upland has currently been approved for a housing project, but momentum is growing toward purchase of the property for open space; MDC owns adjacent land and is interested as well

The 50 percent match from City of Quincy Engineering Dept. is for project implementation once the alternatives and cost-benefits are identified by the ACOE.

Kennelly responded that the ACOE has a lot of experience with this type of study and the project would fit well with their program.

Rockport. The request is to help fund streamflow monitoring at three proposed stream diversions for Rockport's water supply. Kennelly expressed concerns about this proposal. The intent of the Section 22 program is analysis, not data collection. Furthermore, ACOE has no

method to acquire gage information. The ACOE can analyze data collected by others but does not have expertise in collecting data.

Agenda Item #4: Vote to release for public comment: WRC performance standards for interbasin transfers

Mark P. Smith updated the Commission on the process. When the WRC performance standards are released, there will be a 30 day public comment period and a couple of public hearings.

Michele Drury presented a summary of changes since the last update. She reminded the Commission that there are two sets of standards: 1. what is needed to accept an application as complete; and 2. what is needed to approve an application. There were a few changes from the last presentation which Drury went through in the eight criteria format.

Gary Clayton introduced the subject of cost-benefit feasibility for inclusion in the criteria (similar to the MWRA's criteria of 2.5 times the price of MWRA water). This was left as an open question to be included in the document.

Discussion on meter reading and frequency of billing:

- Should meter reading be seasonal rather than quarterly?
- Gary Clayton suggests a sunset provision on estimated billing. Respondents say that the capital investment to install automated meter readers is very expensive, and it is also expensive to send a meter reader around town to all homes.
- It was noted that more towns are going to billing more often to smooth their revenue streams.
- It was agreed to remove the estimated billing from the public comment draft.

Discussion on 70 gallons per capita per day (residential usage) requirement:

- Drury explained that the 70 gpcd (residential usage) for applying was derived from the water needs forecasting methodology. The draft performance standard to maintain 70 gpcd (residential) after a transfer is granted was based on research of current usage in the state. The communities in the Blackstone, Charles and Nashua watersheds, with good data had a median of 72 gpcd and MWRA communities (only those with good data) were at a median of 76 gpcd. This was a limited, unscientific sample. Not all communities had good data. Drury cautioned that this is an interim number.
- Jeff Kapell asked if the standards will be used more broadly than for IBTs; Smith responded that Trudy Coxe wants to see that. However, the 70 gpcd is specifically for IBTs right now.
- MWRA's official position as explained by Gretchen Roorbach is that 70 gpcd is not fair for some communities; the number is too low. She gave Wellesley as an example.
- Lou Wagner of Mass Audubon said that 70 gpcd is too easy for many communities to meet right now. Example: Lynnfield currently at 59 gpcd. He believes that 70 gpcd is too high a number for interbasin transfers. Since the WRC already has the authority to waive requirements for good cause, he urges that the WRC set a strong standard.
- Gary Clayton wants the number lowered also. He believes that through the public process the number will only be increased and that it is up to the WRC to set a strong standard from the outset.

- Arleen O'Donnell suggested flagging the gpcd requirement as a concern in the document.
- Dave Terry asked what happens regarding enforcement if after a number of years the gpcd number begins to creep upward after approval.
- Lealdon Langley said DEP normally looks at five years water usage data for setting usage standards, but credit is given for effort (i.e., a big decrease in one or two years).

The 4,000 gpd per inch diameter of infiltration loss is a stringent standard based mainly on economics. It is cost-effective to fix a sewer system to this standard because the cost of wastewater treatment is greater than the cost to repair the system. O'Donnell suggested amending the standards to state that if a community was above this number, it would have to implement I/I reduction measures.

Though a quorum was no longer present by the end of the discussion, polling showed that all were in favor of releasing the current performance standards, as amended by this discussion for public comment. Smith said he will do so.

Agenda Item #5: Proposed DEP screening document for new or additional water withdrawals

Lealdon Langley explained that the purpose of this guidance is to identify issues early in the review of new source applications and steer applicants away from sites with significant environmental impact. DEP also wants to alert interested parties as to the site's potential for development (i.e., Environmental Monitor notice) and provide guidance similar to the Interbasin Transfer standards.

Langley's major concern is how the document is currently formatted (it looks a lot like an ENF or EIR currently) and how it might be used or viewed. Will it simply add process for applicants? The information requested is called "screening" criteria, but DEP may not be able to tell the applicant anything meaningful with this. An alternative, said Langley, is to collect all the possible issues and provide guidance instead. He says that the pump test phase gives the most meaningful data but this document is intended to get some initial data prior to that.

Arleen O'Donnell wants the USGS included in the review.

Dave Terry suggested, and others present agreed, that before the document is further developed that input be solicited from Massachusetts Water Works Association and the Massachusetts Municipal Association.



Minutes approved 9/10/98